



Bayer
*Supplier Code
of Conduct
Guidance*



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Purpose of the Supplier Code of Conduct Guidance

The Bayer Supplier Code of Conduct outlines the basic operating framework that Bayer requires for a sustainable cooperation with its suppliers.

This Supplier Code of Conduct Guidance is a non-binding, companion document to Bayer's Supplier Code of Conduct.

It aims to provide concrete examples on key expectations and good practices for each principle of the Bayer Supplier Code of Conduct. It aims to provide clarification on how suppliers can implement the principles set forth in the Bayer Supplier Code of Conduct in their company and processes.

The Supplier Code of Conduct Guidance provides suppliers with:

- // Practical tips on how they can improve their ethical, social, environmental and further general organizational and economic efforts
- // Assistance on what to prepare for a performance (re-)evaluation
- // References to common recognized standards and regulatory frameworks



How to use this Supplier Code of Conduct Guidance

For each Bayer Supplier Code of Conduct principle, the following guidance is provided:

Principle

(As it appears in the Bayer Supplier Code of Conduct)

Good Practices:

Examples of milestones the supplier can implement in order to go beyond minimum requirements and reach further acknowledgment

= Go beyond minimum requirements

Key Expectations:

What, in general, the supplier needs to implement within its company in order to meet the minimum requirements of the Bayer Supplier Code of Conduct

= Minimum requirements

References

Recognized standards and regulatory frameworks that govern general framework of the respective principle

It is a generally accepted implementation practice that policies, trainings and internal evaluations should be implemented within all business units as part of a management system.

These are in fact generally applicable to all Bayer Supplier Code of Conduct principles:

Policy	Policies in the form of a document clearly state the intention and direction of how the supplier relates to the respective principle, with a clear commitment to identifying, evaluating and mitigating risks, and promoting continuous improvement
Training	Training on principles ensures awareness and an appropriate level of knowledge on applicable requirements
Internal Evaluations	Internal evaluations carried out periodically by the relevant experts allow verification of compliance to the applicable requirements as well as identification of potential (new) risks

Items to be considered

// For illustrative purposes, references may contain country/region specific regulations or guidelines. Further regulations or guidelines may exist. This is highlighted.

// In addition, country-specific laws and exceeding company-specific agreements must be identified and adhered to by the supplier.



List of Abbreviations

3R	Replacement, Reduction, Refinement
3TG	Tin, Tantalum, Tungsten and Gold
ABS	Access and Benefit Sharing
ALARP	As Low As Reasonably Practicable
BCM	Business Continuity Management
BCP	Business Continuity Plan
BIA	Business Impact Analysis
EFPIA	European Federation of Pharmaceutical Industries and Associations
EMAS	Eco-Management and Audit Scheme
FCPA	Foreign Corrupt Practices Act
GCP	Good Clinical Practices
GDP	Good Distribution Practice
GDPR	General Data Protection Regulation
GHG	Greenhouse Gas
GLP	Good Laboratory Practice
GMP	Good Manufacturing Practice
GxP	Good x Practices
GR	Genetic Resource
GVP	Good Pharmacovigilance Practice
HCO	Healthcare Organization
HCP	Healthcare Professional
HSE	Health, Safety and Environment
ICH	International Council for Harmonization of Technical Requirements for Pharmaceuticals for Human Use
IFPMA	International Federation of Pharmaceutical Manufacturers & Associations
ILO	International Labour Organization
ISO	International Standardization Organization
KYC	Know-Your-Customer
LEED	Leadership in Energy and Environmental Design
LGBTQ	Lesbian, Gay, Bisexual, Transgender, Queer
MAT	Mutually Agreed Terms
OECD	Organization for Economic Co-operation and Development
OHSAS	Occupational Health and Safety Assessment Series
OSHA	Occupational Safety and Health Administration
PhRMA	Pharmaceutical Research and Manufacturers of America
P&ID	Piping and Instrumentation Diagrams
PIC	Prior Informed Consent
PSCI	Pharmaceutical Supply Chain Initiative
QMS	Quality Management System
REACH	Regulation on Registration, Evaluation, Authorization and Restriction of Chemicals
SA	Social Accountability
SDS	Safety Data Sheet
TfS	Together for Sustainability
TSCA	Toxic Substances Control Act
UN	United Nations



Ethics

To meet social responsibilities, suppliers shall conduct their business in an ethical manner and act with integrity.



Business Integrity

Suppliers shall not practice or tolerate any form of corruption, extortion, embezzlement, or money laundering. Suppliers shall not offer or accept bribes or other unlawful incentives (e.g. “facilitation payments”) to or from their business partners or government officials. Suppliers shall not offer to Bayer employees any kind of gifts or personal benefits which could be perceived as a bribe. In all cases, gifts or entertainment shall not be offered to improperly influence a business relationship and must not violate applicable laws or ethical standards.

Key Expectations

- // Effective policies are in place describing all business integrity aspects such as bribery, improper advantages, gifts, entertainment, dealing with business partners and conflicts of interests.
- // (Senior) Management demonstrates zero tolerance to corruption, extortion, and embezzlement within the organization.
- // A financial transaction policy is maintained to ensure proper recording of all financial transactions, as well as to identify possible money laundering.
- // An insider information management system is established.
- // Employees are encouraged to share any concerns in case of misconduct, for example, through a whistle blower hotline.
- // Suppliers will comply with the U.S. Foreign Corrupt Practices Act, the U.K. Bribery Act and all other local or otherwise applicable laws dealing with the bribery of government officials.

Good Practices

- // The supplier establishes thresholds for gifts.
- // The supplier implements multiple-control principles (e.g. when inputting info into a system), separation of functions (i.e. not concentrated on one person), job rotation, etc.
- // The supplier defines specific consequences (e.g. specific sanctions) for non-compliance and clearly communicates them to all employees.



References

- // [Bayer Corporate Compliance Policy](#)
- // [U.S. Foreign Corrupt Practices Act \(FCPA\)](#)
- // [U.K. Bribery Act](#)



Conflict of Interest

Suppliers shall disclose to Bayer any situation that could constitute a conflict of interest, such as Bayer employees having professional, private, and/or significant financial advantages or interests in any of the supplier's businesses.

Key Expectations

- // A process is introduced to ensure that employees are – in regular intervals (e.g. annually) – informed about and alerted to the rules regarding acceptance of advantages and gifts.
- // The supplier's employees do not use their position to offer gifts, invitations or other advantages to its customers' employees. This does not apply to occasional gifts of low value or meals or entertainment of appropriate value.

Good Practices

- // To the extent legally allowed, the supplier ensures regular (e.g. annual) discussion of potential conflict of interest situations with employees, including subsequent disclosure and documentation of any such conflicts of interest.
- // The supplier enhances awareness for critical cases. And he defines an approval process for such critical cases of use of services of its customers' employees for personal purposes.
- // A notification process, coordinated by Human Resources function for employees who take up outside employment (also on a freelance basis) or start their own business, is developed and implemented.

If, at any time, the supplier or one of its employees becomes aware of a situation where a Bayer employee is caught in a conflict of interest, they are encouraged to report their concerns either to the Bayer employee's line manager or to the Bayer Compliance Hotline at <https://www.bayer.com/en/corporate-compliance-policy.aspx>.



References

- // [Bayer Corporate Compliance Policy](#)



Identification of Concerns

Suppliers shall encourage and provide means for their employees to report concerns, complaints, or potentially unlawful activities in the workplace without threat of reprisal, intimidation or harassment. Any report should be treated in a confidential manner. Suppliers shall investigate such reports and take corrective action if needed. Suppliers shall notify Bayer of legal actions, administrative investigations, or prosecutions that may affect their carrying out of Bayer business or that could potentially adversely affect a supplier's and Bayer's reputation.

If at any time a supplier or one of its employees believes that a Bayer employee has acted contrary to these principles, the supplier or its employee is encouraged to report its concerns to the Bayer Compliance Hotline at www.bayer.com/en/corporate-compliance-policy.aspx.

Key Expectations

- // Reporting lines, information and grievance channels / mechanisms (e.g. to the manager, legal department, compliance officer, compliance hotline) are established for employees to ask for advice and promptly report violations or issues. Other options can be, for example, dedicated e-mail or face-to-face meeting with supervisors or internal counsel.
- // Anonymity to the extent permissible, adequate confidentiality and the principle of no retaliation is assured. Concerns are taken seriously and followed with an unbiased and accurate investigation by specialists. In case compliance violations are found, appropriate actions (e.g. specific sanctions) are taken.

Good Practices

- // Employees are made aware of the need to raise concerns, for example through training or awareness campaigns.
- // A compliance hotline is extended to the general public to seek advice and report concerns anonymously (to the extent permissible) and in the local language.



References

- // [Bayer Corporate Compliance Policy](#)



Fair Competition

Suppliers shall conduct their business in line with fair competition and in accordance with all applicable anti-trust laws.

Key Expectations

- // Appropriate behavior in competition is mandatory for all employees.
- // The supplier ensures its employees adhere to prohibition of:
 - // illegal discussions or contacts with competitors about pricing, costs, or terms or conditions of sale,
 - // illegal discussions or contacts with suppliers and customers that restrict or boycott trade or exclude competitors from the marketplace,
 - // agreements with competitors regarding allocating markets or customers.

Good Practices

- // A company policy is established to comply with competition laws.
- // The supplier establishes one corporate standard applicable to all affiliate organizations outlining minimum standards.
- // The supplier seeks legal expertise and consultancy due to possible complexity and significant variety of requirements.



References

- // [Bayer Corporate Compliance Policy](#)



International Trade Controls

Suppliers must comply with export control regulations applicable to their business and provide accurate and truthful information about it to customers and other authorities when required.

Key Expectations

// The supplier ensures compliance with all applicable laws and regulations governing export control and economic sanctions.

Suppliers provides export control and foreign trade data in a professional and timely manner and implement appropriate standards for security in the supply chain in the framework of global customs security programs.

// The supplier has internal processes and systems in place preventing the use or diversion of their goods, software, technologies or services in improper ways. In case of concerns, the supplier will not do business with the potential customer.

Good Practices

// The supplier has appropriate trainings in place through which all affected employees know and are aware of relevant trade control laws, regulations, policies and amendments.



References

- // [Bayer Corporate Compliance Policy](#)
- // [EU Guidance on “Internal Compliance Program for Dual Use Trade Controls”*](#)

*reference for illustrative purposes.
Further country/region specific regulations or guidelines may exist.



Privacy and Intellectual Property

Suppliers shall safeguard and make only appropriate use of confidential information and ensure that all employees' and business partners' privacy and valid intellectual property rights are protected.

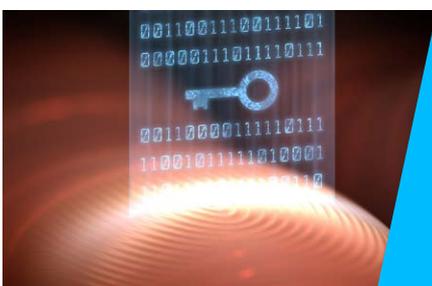
Suppliers shall not use Bayer's name or marks or that of our affiliates or products in publicity materials or advertising without Bayer's prior written consent.

Key Expectations

- // A company policy is implemented to protect customers', employees', business partners' and even website visitors' data and privacy.
- // The supplier implements a comprehensive risk assessment to identify threats to privacy and intellectual property.
- // Technology and security precautions and organizational measures are established to protect confidential information and intellectual property rights from unauthorized access, improper use, disclosure, loss or destruction (e.g. industry standard firewalls, password protection).
- // Confidential, proprietary, private or personal information is not disclosed to third parties without, where required, appropriate authorization and, whenever adequate, confidentiality agreements.

Good Practices

- // The supplier ensures a compartmentalized storage of electronically stored confidential information with accessibility on a need-to-know basis only.
- // The supplier establishes strict control and management of access rights to any confidential information, particularly in case of resignation.
- // The supplier removes any confidential information before disposing of equipment.
- // The supplier raises awareness of critical confidentiality risks such as "phishing e-mails", discussing or handling information with third parties, especially in public places such as fairs, supplier events or airports.
- // The supplier ensures that personal e-mail accounts for business purposes are not used.
- // The supplier considers regular security and legal expert consulting.



References

- // [Bayer Corporate Compliance Policy](#)



Data Privacy and Data Protection

Suppliers' information systems that contain Bayer's confidential information or data shall be appropriately managed and protected against unauthorized access, use, disclosure, modification, or destruction. Suppliers shall collect personal information only for legitimate business purposes, use it in a legal, transparent, and secure manner, share it only with those who are allowed access, protect it in accordance with security policies, retain it only for as long as necessary, and obligate third parties with access to personal information to protect it.

Key Expectations

- // The supplier has appropriate technical and organizational measures in place to ensure data protection. These include, among others, procedures describing the safe handling and destruction of personal data, and an IT security policy according to common frameworks (e.g. ISO 27001, ISO 27018).
- // Where required by applicable law, the supplier concludes a data privacy agreement with its customers concerning data protection, covering all data types processed by the supplier and its business partners.
- // In case of a data breach or a data subject request, the supplier immediately informs its customers (In case it is Bayer, the point of contact is data_privacy@bayer.com).

Good Practices

- // The supplier has established a contact point (e.g. hotline, e-mail account) that offers its suppliers and other external parties the opportunity to report any data breach or data subject request, also outside of regular business hours.



References

- // [ISO 27001 on "Information Security Management"](#)
- // [ISO 27018 on "Information Technology"](#)
- // [EU General Data Protection Regulation \(GDPR\)*](#)

*reference for illustrative purposes.
Further country/region specific regulations or guidelines may exist.



Fair Marketing Practices

Interactions with healthcare professionals and organizations (HCPs, HCOs) are intended to enhance the practice of medicine and ultimately benefit patients. Interactions should focus on informing HCPs and HCOs about products, providing scientific, medical and educational information or supporting medical research and education. Nothing shall be offered or provided to HCPs and HCOs in a way that has an inappropriate influence on prescribing practice.

Likewise, interactions when marketing or selling biotechnology and crop protection products should also follow fair and ethical practices. Bayer expects its suppliers who prepare sales, advertising, promotional and marketing materials to fulfill their duties through truthful and accurate descriptions.

Key Expectations

- // All promotional materials used are consistent with the currently approved product information (i.e. label and instructions for use) in a country of operation, and must be periodically reviewed and updated if new scientific evidence becomes available.
- // The supplier provides customers and the general public with clear information about the environmental and safety aspects of their products.
- // When engaged with HCPs, patients or animal HCPs, all business partners adhere to relevant industry standards of conduct that apply to them, such as the International Federation of Pharmaceutical Manufacturers & Associations (IFPMA), the European Federation of Pharmaceutical Industries and Associations (EFPIA) and the Pharmaceutical Research and Manufacturers of America (PhRMA).

Good Practices

- // The supplier has clear internal guidelines for promotional communication in place to ensure compliance with all laws and regulations regarding the promotion, marketing and sales of their products, and particularly enforce truthful, not misleading and consistent communication with regulatory approvals of their products. The guidelines are regularly reviewed and updated.



References

- // [The IFPMA Code of Practice](#)
- // [The EFPIA Code*](#)
- // [The PhRMA Code on Interactions with HCPs*](#)
- // [The PhRMA Guiding Principles on Direct-to-Consumer Advertisements about Prescription Medicines*](#)

*reference for illustrative purposes.
Further country/region specific regulations or guidelines may exist.



Standards When Conducting Clinical Trials

Suppliers shall conduct clinical trials in accordance with international guidelines, applicable national and local laws and regulations, and recognized international quality and safety standards applicable to the proposed work. When engaged in clinical trials on behalf of Bayer, all clinical trials shall be conducted in accordance with the global standards of Good Clinical Practices and follow the strictest medical, scientific and ethical principles, in particular the Declaration of Helsinki.

Key Expectations

- // All trials are conducted to the standards set out in the agreement the supplier signs with the customer.
- // The supplier has qualified and trained employees executing clinical trials.
- // The supplier maintains a relevant Quality Management System, for example Good Laboratory Practice (GLP), Good Manufacturing Practice (GMP).
- // The supplier maintains a Business Continuity Plan (BCP).

Good Practices

- // There is readily accessible and comprehensive documentation relevant to the clinical trials being performed available, including bio-safety containment where appropriate.
- // A prompt and complete reporting of status / potential issues to its customers is in place.
- // The supplier maintains an appropriately validated computer system to support GxP* activities.

*GxP is an abbreviation for Good x Practices guidelines, where x is used as a common symbol for a specific practice descriptor. Thereby, the term summarizes several Good Practices, for example Good Manufacturing Practice (GMP), Good Distribution Practice (GDP), Good Clinical Practice (GCP), Good Laboratory Practice (GLP). They apply to organizations in the food or pharmaceutical industry.



References

- // [International Conference on Harmonization of Technical Requirements for Registration of Pharmaceuticals for Human Use - Good Clinical Practices Guidelines \(ICH-GCP Guidelines\)](#)
- // [Declaration of Helsinki](#)



Animal Welfare

If applicable to the suppliers' industry, alternatives to animal testing shall be used when such alternatives are scientifically valid and predictive so as not to compromise the quality or safety evaluations of Bayer's products, and when they are acceptable to regulatory agencies. When animal testing is necessary, suppliers shall minimize the number of animals used for testing. Suppliers shall be equally committed to conducting animal testing using the most humane scientifically valid protocol, which must meet study and regulatory requirements, and shall conduct tests only in accordance with all applicable laws.

Key Expectations

- // There is a commitment to perform animal testing only when required by law or, when not required by law but justified on scientific grounds, the supplier will make sure that all animal testing is ethically and scientifically justified (in accordance with the 3Rs principle).
- // There is a commitment to apply the latest scientific findings in the fields of animal welfare and animal husbandry. This includes group housing if possible and provision of enrichment items like toys. Certified animal caretakers are responsible for training the research animals which is important for reducing their fear of general handling as well as for improving their cooperation within the experiment.
- // All animal testing is carried out with a high level of responsibility. Animals must be spared any unnecessary suffering.
- // The supplier obtains research animals from authorized breeders which are monitored by the relevant veterinary authorities. Exceptions may be when no official breeder exists, as in the case of agricultural livestock and fish, which may be obtained from selected agricultural farms and fisheries, if permitted under specific regulations.
- // There are responsible employees for animal welfare and/or committees specifically to provide guidance, monitor the implementation of animal studies and cooperate with the authorities.
- // The supplier provides its customer's audit teams (e.g. veterinary staff) access to assess its laboratory animal care and use program prior to placement of work and thereafter on a periodic basis.
- // Particular care and attention is paid to the procurement and transportation of animals, including use of appropriate and adequate devices and/or facilities for transport in accordance with applicable guidelines and legal requirements.

Good Practices

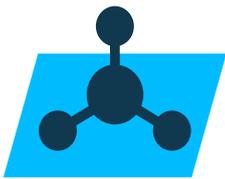
- // Training and eligibility criteria are established, documented, and followed pertaining to employees involved with animal welfare and management.
- // The supplier establishes clear targets to reduce animal tests.



References

- // [Bayer and Animal Studies](#)
- // [EU Directive 2010/63 on "Protection of Animals used for Scientific Purposes"](#)*
- // [Guide for the Care and Use of Laboratory Animals](#)

*reference for illustrative purposes.
Further country/region specific regulations or guidelines may exist.



Utilization of Genetic Resources

Suppliers shall enable the fair and equitable sharing of the benefits arising out of the utilization of genetic resources in accordance with the Convention on Biological Diversity.

Key Expectations

- // The supplier establishes the processes for an Access and Benefit Sharing (ABS) assessment when accessing, utilizing or transferring genetic resources either to third parties or within its organization to ensure that ABS requirements set forth in applicable international and national laws are met.
- // After the ABS assessment, the supplier ensures that relevant genetic resources and their derivatives are purchased and tracked in line with international and national ABS legal regulations.
- // Particularly, Prior Informed Consent (PIC) from the country providing the genetic resources (country of origin) and Mutually Agreed Terms (MAT) between the country of origin and the country those are processed in (country of utilization) is available, if applicable under the ABS regulation.
- // Access, usage and transfer of relevant genetic resources is documented according to relevant international and national ABS legislation and contractual obligations. If requested to do so, the supplier is able to provide these documents to its customers or authorities.

Good Practices

- // There is a central contact person within the supplier's company to assist those handling genetic resources to comply with international and national ABS legal regulations.
- // The supplier tracks country of origin for all genetic resources, including genetic resources from non-signatory countries such as the US.
- // The supplier implements internal control mechanisms and compliance checks.



References

- // [Bayer Human Rights Position](#)
- // [UN Convention on "Biological Diversity"](#)
- // [Nagoya Protocol](#) on "Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization"
- // [ABS Clearing House](#)
- // [EU Regulation No 511/2014](#) on "Compliance Measures for Users from the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from the Utilization in the Union"*

*reference for illustrative purposes.

Further country/region specific regulations or guidelines may exist.



Conflict Minerals

Suppliers shall ensure that products supplied to Bayer do not contain metals derived from minerals or their derivatives originated from conflict regions that directly or indirectly finance or benefit armed groups and cause or foster human rights abuses.

Key Expectations

- // The supplier commits to abide by all applicable laws and regulations related to conflict minerals.
- // The supplier clearly states its support of international aspirations for a conflict-free supply chain and agrees to provide all necessary information requested by its customers and to enable them to complete their reasonable country of origin inquiries and conflict minerals due diligence.
- // Processes are in place to ensure reasonable due diligence and disclosure procedures to identify whether own suppliers use conflict minerals.
- // The supplier helps to identify the source of 3TGs (tin, tantalum, tungsten, gold) in products, components or materials supplied to its customers (including the smelter or refiner where such 3TGs were processed and the country of origin of the 3TGs where possible through reasonable means).
- // The supplier provides, upon request, reasonable evidence of its suppliers' performance with respect to any of its suppliers or subcontractors involved in the production of the materials or products supplied to its customers or any components of those materials or products.

Good Practices

- // There is a policy setting out that processes are in place to identify whether suppliers use conflict minerals. The policy is approved and communicated in writing to all suppliers potentially using conflict minerals.
- // The supplier has publicly declared their stance regarding conflict minerals and what they have done or are doing to ensure they conform to the standards.
- // The supplier only sources 3TGs only from smelters whose due diligence practices have been validated by an independent third-party program.



References

- // [OECD Due Diligence Guideline for “Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas”](#)
- // [EU Directive on “Conflict Minerals”](#)*
- // [U.S. Dodd-Frank Act](#)*
- // [Chinese Due Diligence Guidelines for “Responsible Mineral Supply Chain”](#)*

*reference for illustrative purposes.
Further country/region specific regulations or guidelines may exist.



People & Labor

Suppliers shall protect the human rights of their employees and treat them with dignity and respect.



Child Labor Avoidance

We do not tolerate child labor in our supply chain. Suppliers must avoid any sort of child labor in their business operations consistent with the International Labour Organization’s (ILO) core labor standards and the United Nations Global Compact principles. If the local minimum-age law stipulates a higher age for work or mandatory schooling, the higher age applies.

Key Expectations

- // The supplier publicly declares zero tolerance of child labor.
- // There is an effective policy to condemn all forms of child labor within the organization, for suppliers and business partners.
- // The supplier adheres to the minimum age for employment as defined by the ILO (in general, it should not be less than 15 years, with light work permitted from the age of 13. In countries with insufficiently developed economies and education systems, those ages may be provisionally set at 14 and 12 respectively) or as set by the national laws—whichever is the stricter. In the case of hazardous work, the limit set by the ILO is usually 18 years.
- // There is immediate implementation of responsible remedial measures whenever any adverse impact on children’s welfare is observed in the workplace. In any circumstances, a child found working will be immediately removed from the workplace.
- // The supplier ensures that the work permitted does not interfere with children’s schooling, or their ability to benefit from it, and that it is not harmful. In case of hazardous work, the supplier ensures that the health, safety and morals of the young persons concerned are fully protected and that they have received adequate specific instruction or training.

Good Practices

- // Supervisors at the supplier company are trained to respect the provisions for young employees, apprentices and interns (e.g. rules on hours of work, night shifts, weekend work and heavy or dangerous work).
- // The supplier puts in place adequate financial and other support to enable children in their communities to attend and remain in school until no longer a child. If needed, the supplier supports and offers access to bridge schools that prepares formerly “out-of-school-children” for integration into a government school.
- // The supplier follows up to make sure the child that has been removed from work does not return to work and instead goes to school.



References

- // [Bayer Human Rights Position](#)
- // [United Nations Global Compact \(UNGC\) Principles](#)
- // [ILO Declaration on “Fundamental Principles and Rights at Work”](#)
- // [ILO Conventions No. 138 & No. 182 on “Child Labor”](#)
- // [Bayer Child Care Program—Tackling Child Labor in the Seed Supply Chain](#)



Freely Chosen Employment

We do not tolerate slavery, servitude, or forced or compulsory labor and human trafficking in our supply chain. Bonded, indentured, or involuntary prison labor is also not accepted. Practices such as withholding personal property, passports, wages, training certificates, work, or any other document for inappropriate reasons are not acceptable.

Key Expectations

- // The supplier has a clear position regarding the protection of human rights, ensuring employees enter into employment freely, and is against any kind of exploitation, human trafficking or modern slavery.
- // Working hours, overtime, pay, benefits, leave, discipline and grievance mechanisms and terms and conditions of employment must be freely agreed by the employer as well as the employee.
- // No salary, benefits, property or documents should be withheld in order to force employees to continue working.
- // The supplier will not retain any original identification documents of its employees unless legally required.
- // Employees have a copy of their written employment contract or letter, setting out the terms and conditions of their employment.
- // Employees are free to terminate their employment, provided that they give reasonable notice to their organization.
- // If the supplier uses prison work force, this must be voluntarily done by the prisoners and accordingly communicated to customers. Any such employment must be in line with applicable local laws and/or international guidelines.

Good Practices

- // The Human Resources function develops, motivates, recognizes, and rewards employees and engages in social dialogue.
- // Preventive measures such as a fair and ethical system of hiring practices is applied uniformly, whether directly or through a recruiter or other agent.
- // There is a program of monitoring, whistleblowing (e.g. compliance hotline) to combat modern slavery and to ensure access to grievance procedures.
- // The supplier participates in cross-industry initiatives to tackle the root causes of modern slavery.
- // The supplier collaborates with its own suppliers through training, coaching and capability building especially where there is a large presence of migrant workers and third-party workers.



References

- // [ILO Declaration on “Fundamental Principles and Rights at Work”](#)
- // [ILO Conventions No. 29 & No. 105 on “Forced Labor”](#)
- // [Bayer Modern Slavery Act Statement](#)
- // [Bayer Human Rights Position](#)



Freedom of Association

Suppliers shall commit to an open and constructive dialogue with their employees and workers' representatives. In accordance with local laws, suppliers must respect the rights of their employees to associate freely, form and join labor unions, seek representation, join works councils, and engage in collective bargaining. Suppliers shall not disadvantage employees who act as workers' representatives so that they can exercise their role without fear of reprisal or discrimination.

Key Expectations

- // (Senior) Management respects the right of employees to form and join associations of their choice and to bargain collectively on their behalf if legally permissible.
- // Where collective agreements are in place, they are communicated to all employees in a language they can understand.
- // Respecting individual rights to freedom of opinion, employees are able to communicate openly with (senior) management regarding fair working conditions and terms of employment.

Good Practices

- // If feasible, workers' representatives are allowed time and facilities to conduct permissible union business, in particular an office area to keep information and materials, conduct meetings, etc.
- // The supplier permits the establishment of independent representative structures / committees for employees which can discuss specific issues, such as health and safety, and social activities.
- // If legally permissible, collective bargaining negotiations are entered into when requested by legally recognized representative agents and collective agreements concluded.



References

- // [ILO Conventions No. 87 & No. 98 on "Freedom of Association and the Effective Recognition of the Right to Collective Bargaining"](#)



Working Time, Wages and Benefits

Working time for suppliers' employees shall not exceed the maximum set by the applicable national law and by ILO standards. Compensation shall be paid to employees regularly, in a timely manner and in full according to applicable laws and must comply with applicable national wage laws. Compensation and benefits should aim at providing an adequate standard of living for employees and their families. Unless otherwise provided by local laws, deductions from basic wages as a disciplinary measure shall not be permitted (this does not exclude the entitlement of damages on a contractual or legal basis). Suppliers are expected to provide their employees with fair and competitive compensation and benefits and to support equal pay for work of equal value. It is recommended that suppliers offer their employees ample training and educational opportunities.

Key Expectations

- // The basic wages (not including overtime) always meet at least legal or collective bargaining agreements (where applicable). Full-time wages are sufficient to meet the basic needs of employees to cover their basic costs of living.
- // Employees receive a pay slip, indicating the components of their compensation, exact amounts for wages, benefits, incentives / bonuses and any deductions. Wages are furthermore paid on time and in full.
- // Overtime is paid at a premium rate as defined by national law or established by an applicable collective bargaining agreement.
- // Employees are entitled to at least 24 consecutive hours of rest in every seven-day period. If employees are required to work on a rest day due to a genuine need for continuity of production or service, employees must receive an equivalent period of compensatory rest immediately following.

Good Practices

- // (Senior) Management ensures that the average workforce is adequate in size, skill and resources in principle to avoid overtime unless there are exceptional circumstances. Peak periods are planned in such a way to avoid excessive overtime.
- // There is transparency towards all employees if overtime is required and regarding the wages to be paid for it.
- // The supplier implements employee programs to help prevent and protect against illness and injuries at work, and support in building financial provisions for retirement in accordance with local labor and social security laws.



References

- // [ILO International Labour Standards on "Working Time"](#)
- // [SA 8000 on "Social Accountability"](#)



Inclusion and Diversity

Equal treatment of all employees must be a fundamental principle of the supplier's corporate policy. Typical discriminatory treatment takes into consideration – consciously or unconsciously – irrelevant characteristics of an employee such as age, disability, ethnicity, family status, gender, gender expression, gender identity, genetic information, national origin, physical characteristics, political affiliation, pregnancy, religion, social origin, sexual orientation, union membership, or any unlawful criterion under applicable law. Suppliers shall ensure that their employees are not harassed in any way.

Bayer encourages suppliers to provide an inclusive and supportive working environment by exercising diversity when it comes to their employees. Likewise, Bayer encourages suppliers to have an active Supplier Diversity Program by engaging with diverse-owned businesses.

Key Expectations

- // (Senior) Management actively supports and encourages an environment where everyone feels free to speak his or her mind and where diversity in values, beliefs, physical differences, ethnicity, age, gender, experiences, thinking styles, backgrounds, preferences and behaviors is respected and promoted.
- // The selection criteria for human resources decisions are objective and transparent.
- // There is no unjustified unequal treatment in hiring, remuneration, access to training, promotion, termination or retirement based on the characteristics as described in the Bayer Supplier Code of Conduct.
- // Freedom from discrimination applies to all stages of employment: the recruitment process, working conditions, remuneration, development, promotion and termination.
- // The supplier establishes measures to prevent arbitrary decisions, such as pregnancy testing or other forms of potentially discriminating health screening. There are objective and transparent selection criteria for all human resource decisions and employees are trained to avoid discrimination when exercising their duties.

Good Practices

- // Inclusion and diversity is a priority of the supplier company and linked to strategic planning, mission, vision, etc. Support for affected employees can, for example, be provided through affinity groups established in the supplier's company.
- // There are specific and measurable targets (e.g. number of women in senior / top management positions, board membership representation) across business units.
- // There are specific support programs, such as child or day care centers. Other programs, such as mentoring or scholarships, encourage greater access and participation for underrepresented groups or individuals.
- // The supplier is committed to inclusion and diversity and applies these in all phases of employment (e.g. training managers on how to ensure inclusion and diversity when hiring).
- // The supplier expands its supplier diversity efforts by establishing inclusive sourcing processes and engaging with certified diverse-owned businesses to provide products and services to its customers, as recognized within their respective countries and by supplier diversity certifying organizations.*

*This aligns with Bayer's strategy around Inclusion and Diversity.



References

- // [Bayer Supplier Diversity](#)
- // Further examples for supplier diversity certifying organizations:
 - // [WEConnect International](#)
 - // [Integrare](#)



Fair Treatment

Suppliers must provide their employees with a workplace free of harsh and inhumane treatment, without any sexual harassment, sexual abuse, physical punishment or torture, mental or physical coercion or verbal abuse of employees, or the threat of any such treatment. Furthermore, suppliers are expected not to unfairly terminate any employment contract or without clear evidence specify that the termination of an employment contract, in relation to the working performance of an employee, as permitted by law. Employees may leave the employer freely provided they comply with advance notice specified by law. They shall be paid on time and in full for the work they have done prior to leaving according to applicable laws.

Key Expectations

- // The rights and dignity of each individual within the workforce are respected at all times.
- // The supplier tolerates no behavior that is threatening, abusive, exploitative or sexually coercive, including gestures, language and physical contact.
- // Reporting lines, information and grievance channels / mechanisms (e.g. to the manager, legal department, compliance officer, compliance hotline) are in place and accessible to all employees to report, also anonymously to the extent permissible, mental, physical or sexual harassment or any other infringement. Complaints are taken seriously and followed with an unbiased and accurate investigation. In case compliance violations are found, appropriate actions (e.g. specific sanctions) are taken.

Good Practices

- // Decisions about recruitment, development and promotion are based purely on merit, performance and ability.
- // Behavioral, rather than disciplinary, incentives are applied whenever possible.
- // Disciplinary actions are consistent with the seriousness of the incident.



References

- // [ILO Conventions No. 100 & No. 111 on “The Elimination of Discrimination in Respect of Employment and Occupation”](#)
- // [Bayer Corporate Compliance Policy](#)



Local Community

To promote responsibility for the communities they operate in, suppliers should listen to the concerns of local residents and provide for healthy and safe living conditions. The support of local job creation, local sourcing, education provisioning and infrastructure development is encouraged.

Key Expectations

- // The supplier protects the employees' and neighbors' lives and health against potential hazards inherent in its production processes.
- // There are concepts and programs in place to promote the local community such as:
 - // Recruitment of local staff,
 - // Selection of local suppliers,
 - // Promotion of science and education (e.g. through supporting schools),
 - // Support projects to address social needs (e.g. literacy projects),
 - // Foster public infrastructure.
- // The supplier identifies its stakeholder groups (i.e. persons living and/or working in any areas that are economically, socially or environmentally impacted by its operations). This may include vulnerable groups.
- // The supplier evaluates its potential impact on vulnerable groups (e.g. indigenous people) in the catchment area of the its entities, and ensures to respect their rights.
- // The supplier appropriately involves stakeholders and especially vulnerable groups (e.g. through provision of relevant safety information in local language or comprehensible pictograms).

Good Practices

- // The supplier has a strategy in place which clearly defines concepts and programs of its local community engagement. At best, this includes targets to measure its performance.
- // The supplier systematically and regularly evaluates the actual and potential economic, environmental and social impact of its activities on local communities and documents the results. Areas of impact include, for example, safety aspects, emissions, and waste. The supplier may employ an external party to perform the evaluation.
- // The supplier addresses the actual and potential impact its business has on local communities. Any negative impacts should be avoided or managed appropriately, including grievances, and local communities compensated accordingly.
- // The supplier implements a purchasing policy and procedures that favor locally produced goods and services. Those should be preferred to imported products wherever possible and reasonable.



References

- // [Bayer Human Rights Position](#)
- // [Bayer Corporate Compliance Policy](#)
- // [Bayer Position on the Protection of Biodiversity](#)
- // [Bayer Water Position](#)



Health, Safety & Environment

Suppliers shall make adequate provision for the health and safety of their employees, customers, visitors, contractors, and others who may be affected by their activities. They shall operate in an environmentally responsible and resource-efficient manner.



Occupational Health and Safety

Suppliers shall adequately protect their employees against chemical, biological and physical hazards. Physically demanding tasks and conditions in the workplace, as well as risks associated with infrastructures used, must be adequately managed to protect their employees. Suppliers shall provide appropriate controls, safe work procedures, adequate maintenance and necessary technical protective measures to mitigate health and safety risks in the workplace and to prevent accidents and occupational illnesses. In addition, suppliers shall provide employees with appropriate personal protective equipment.

Safety information relating to any identified workplace risk or hazardous materials – including compounds in intermediate materials – shall be available to educate, train and protect workers from hazards. A safe and healthy working environment shall include as a minimum the provision of drinking water, adequate lighting, temperature, ventilation, and sanitation and, if applicable, safe and healthy company living quarters.

Key Expectations

- // The supplier establishes a comprehensive risk management system to identify and assess hazards (i.e. physical, chemical, biological, radiological, psychological and ergonomic) for workplaces and work-related activities, including routine and non-routine work. The supplier implements an appropriate risk mitigation strategy and controls exposures in compliance with applicable standards to As Low As Reasonably Practicable (ALARP).
- // The supplier prioritizes mitigation measures with decreasing focus as the route to mitigation: 1. risk elimination / 2. technical measures / 3. organizational factors / 4. personal protective equipment.
- // Employees are made aware of and trained on workplace risks and safety and protection measures against exposure to chemicals and other risks affecting their day-to-day work.
- // An efficient permit-to-work system is maintained for work with specific hazards (e.g. “hot work”, working at heights).
- // Employee participation (e.g. through occupational health and safety committees) in workplace related decision-making processes is ensured, where legally required.
- // The supplier ensures employees are subject to medical examinations and are also monitored for exposure to chemicals and noise. These examinations should be both initial and periodic for employees.
- // The supplier carries out activities with the aim of ensuring occupational health and safety at his premises. These activities also include a comprehensive contractor management with an efficient monitoring, working instructions and training.

Good Practices

- // The supplier provides comprehensive safety training before or during onboarding.
- // The supplier implements health-promoting initiatives and programs (e.g. ergonomics, health promotion courses).
- // The supplier establishes a management system according to OHSAS 18001/ISO 45001 principles.



References

- // [OHSAS 18001/ISO 45001](#) on “Occupational Health and Safety”
- // [Responsible Care Initiative](#)
- // PSCI Principles: [Guidance for Implementation, focus section: Health & Safety](#)



Process Safety

Suppliers shall have safety programs in place for managing and maintaining all their production processes in accordance with the applicable safety standards. Programs shall be appropriate to facility and process risks. Suppliers shall appropriately communicate, disclose, and manage hazards inherent in their processes and products to ensure that affected or potentially affected third parties are protected. Likewise, major incidents shall be analyzed and communicated in a timely fashion. For hazardous installations and processes, the supplier shall regularly conduct specific risk assessments and implement measures that prevent the occurrence of incidents such as chemical releases, fires, or explosions.

Key Expectations

- // Production processes are designed and conducted considering employee health and safety, community interests and environmental impact to ensure safe operation and a minimized potential for negative consequences in case of an undesirable event (e.g. release of chemicals, spills, explosions).
- // Processes, operations, technical installations and maintenance requirements are documented, such as Piping and Instrumentation Diagrams (P&ID).
- // There are operating procedures for routine as well as foreseeable non-routine operations.
- // Process safety reviews are conducted and documented by a competent professional team of diverse disciplines and competencies.
- // New processes or units require safety reviews and revalidation conducted at regular intervals or after significant changes. Defined safety measures are implemented and maintained accordingly.
- // Inherent safety concepts have priority over other safety measures.
- // Necessary process safety data and information are available to define safe operational limits and potential hazards of a process or materials.
- // Instrumentation, detectors and other process safety sensing equipment are properly placed, maintained and calibrated to perform as intended.
- // Containment vessels, reactors and other process equipment are equipped with proper safety devices, such as pressure relief valves or flame arrestors.
- // Process safety-specific indicators and objectives and a corresponding reporting policy are established (e.g. reduction of accidents and spills).



References

- // [Process Safety Management by OSHA](#)
- // PSCI: [Process Safety](#)
- // PSCI Principles: [Guidance for Implementation, focus section: Health & Safety](#)



Product Safety

Suppliers must comply with product safety regulations, label products properly and communicate product-handling requirements. They shall provide to relevant parties the applicable documentation containing all necessary safety-relevant information for all hazardous substances in case of a legitimate need. This includes product information, safety data sheets, notification or registration confirmations, uses and exposure scenarios. Suppliers proactively and transparently share information about the health, safety, and environmental aspects of their products with all relevant parties.

Key Expectations

- // Appropriate and up-to-date Health, Safety and Environment (HSE) data is available for all materials; for example products, intermediates and raw materials. The supplier ensures that safety data sheets (SDS) are available for at least all hazardous materials handled within its company.
- // Product safety-relevant information is provided internally as well as externally, for example to customers, distributors and end users.
- // There is easy access for employees to SDS (e.g. through IT systems). These are always available in the local language.
- // All materials are stored safely in suitable containers according to their hazard characteristics, and marked / labeled properly and clearly.
- // Measures are taken to ensure suitability of transport units and packaging used for transportation.
- // All relevant employees are trained in the safe handling of hazardous material.

Good Practices

- // The supplier proactively publishes HSE relevant information / SDS (e.g. in the external website) to inform interested consumers and parties, like poison information centers, nominated doctors or transport companies.
- // The supplier provides HSE relevant data and information also for non-hazardous substances.
- // Loading and unloading checklists are maintained to ensure that a product is safely stored and transported.



References

- // [Globally Harmonized System of Classification and Labelling of Chemicals \(GHS\)](#)
- // [Regulation on Registration, Evaluation, Authorization and Restriction of Chemicals \(REACH\)](#)
- // [EU Regulation on Classification, Labelling and Packaging of Chemicals \(CLP\)*](#)
- // [Toxic Substances Control Act \(TSCA\)*](#)

*reference for illustrative purposes.

Further country/region specific regulations or guidelines may exist.



Emergency Preparedness, Risk Information and Training

Suppliers shall make safety information on identified workplace risks to employees and contractors available. They shall be correspondingly trained to ensure they are adequately protected at all times. Suppliers shall identify and assess relevant risks and emergency situations in the workplace, public neighborhood and company-provided living quarters. Their potential impact shall be minimized by implementing appropriate fire protection, effective emergency plans, regular drills and response procedures.

Key Expectations

- // An emergency response plan is implemented addressing the management (in particular reporting and response) of potential issues (e.g. natural disasters, fire, explosion) and is operational 24 hours a day and 7 days a week. This is reviewed and updated at regular intervals and whenever there is a significant change at the site / location. The plan includes informing the customer as soon as possible when potential or actual issues arise.
- // The supplier's emergency preparedness and response plan cover a broad range of scenarios such as civil unrest, sabotage, terrorism or consequences and impact of events originating at nearby facilities.
- // Appropriate equipment is available and measures are taken to respond in an emergency scenario (e.g. sufficient number of fire exits, escape routes, fire detection / firefighting equipment, decontamination material).
- // Emergency alarms and communication systems are well maintained and physically tested at documented intervals.
- // Training, simulations and drills are in place to ensure that all employees are familiar with emergency procedures and how to respond in case of an emergency.

Good Practices

- // There are guidelines and training on communication with families of those who might be affected, governmental authorities, and media.
- // To avoid recurrence and to mitigate consequences, the supplier investigates incidents and emergency events with identification of root causes, and implements appropriate corrective and preventive actions.
- // The supplier has an understanding of external emergency responders' availability, capacity, capability, and response time in case of an alarm. Requested safety information is shared with emergency responders in a timely manner.



References

- // PSCI Principles: [Guidance for Implementation, focus section: Health & Safety](#)
- // TfS Supplier Academy: [Health & Safety Fact Sheets and Brochures](#)



Waste and Emissions

Suppliers shall ensure the safe and compliant handling, storage, transportation, disposal, recycling, reuse and management of waste, air emissions and wastewater discharges. Any activity that has the potential to adversely impact human or environmental health shall be appropriately managed, measured and controlled. The release of hazardous substances shall be minimized. Special attention shall be given to active ingredients. Suppliers shall prevent or mitigate accidental spills and fugitive emissions of hazardous materials.

Key Expectations

- // Necessary resources are allocated to ensure an effective and compliant management of waste and emissions (e.g. waste segregation and storage practices, in particular secondary containment as required, labelling and documentation, air emission control). The supplier ensures that all hazardous materials are identified, labeled and stored in order to prevent any risk of pollution in the event of accidental emission or discharge. Emergency preparedness employees and procedures are in place to treat any accidental event presenting an environmental risk to site property or groundwater.
- // The supplier minimizes its waste in the following descending order of priority: 1. avoidance / 2. reuse or recovery / 3. recycling / 4. treatment in a safe and environmentally responsible manner.
- // Environmentally relevant targets are set, monitored and documented / reported (e.g. reduction or recycling of waste, reduction of emissions).
- // An up-to-date inventory of waste, including wastewater, is maintained and records are available if required by local regulations, specific permits and licenses, to confirm that generated waste is disposed accordingly.
- // External waste contractors, contracted waste treatment facilities and landfills are monitored and assessed; the final destination of the waste is a legally approved waste disposal facility. The traceability of hazardous waste disposal is assured.

Good Practices

- // Environmental Management Systems according ISO 14001 or EMAS are established.
- // The supplier maintains a documentation about its applied waste hierarchy (1. avoidance / 2. reuse or recovery / 3. recycling / 4. treatment).
- // The supplier is committed to achieve zero landfill and recycle waste, wherever possible.
- // The supplier uses appropriate technologies (e.g. membrane technology or other applications) to reduce pollutants into air, water and soil.



References

- // [ISO 14001 on "Environmental Management Systems"](#)
- // [Eco-Management and Audit Scheme \(EMAS\)](#)
- // PSCI Principles: [Guidance for Implementation, focus section: Environment](#)
- // [UN Environment Programme on "Waste Management"](#)



Natural Resources Conservation and Climate Protection

Suppliers shall use natural resources (e.g. water, sources of energy, raw materials) in an economical way and preserve them. To ensure the conservation of renewable natural resources, suppliers shall promote the application of broadly recognized sustainability standards and certifications that have been developed by multiple stakeholders. Negative impacts on the environment and climate caused by the suppliers or in their supply chain shall be minimized or eliminated at their source.

Practices are encouraged to be in line with circular economy principles such as material reduction, substitution, collection, sharing, maintenance, reuse, redistribution, refurbishment, re-manufacturing and recycling. Suppliers shall engage in the development and use of environmentally and climate-friendly products, processes and technologies.

Suppliers shall ensure and demonstrate continuous environmental improvements, including a reduction in raw materials, energy, emissions, discharges, noise, waste, hazardous substances and reliance on natural resources by means of clear targets and improvement policies.

Key Expectations

- // The supplier measures and monitors its use of electricity, energy, and water and its emission of greenhouse gases (GHG).
- // The supplier implements a company policy that address natural resources conservation and climate protection.
- // Targets are set (e.g. on GHG emissions, water consumption) and practices are implemented to reduce material input, energy usage and emissions.
- // Further examples of good practices:
 - // Purchase renewable energy only and support a coalition promoting this (e.g. [RE100](#)),
 - // Implement energy efficiency measures for buildings (e.g. [LEED](#)), machinery, and equipment,
 - // Engage with suppliers to reduce CO2 emissions,
 - // Reduce CO2 emissions during transport (e.g. green logistics) and in warehousing,
 - // Reduce deforestation and support coalitions to protect forests,
 - // Protect nature and biodiversity along the value chain (e.g. as part of research activities, in selection of raw materials),
 - // Reuse products and material, (e.g. packaging),
 - // Develop and introduce of recyclable products (e.g. cradle to cradle approach).
- // Circular economy practices are established in line with the three principles: 1. design out waste and pollution / 2. keep products and materials in use / 3. regenerate natural systems.

Good Practices

- // An energy management System is established, for example according to ISO 50001.
- // A GHG inventory is established according to GHG Protocol Corporate Accounting and Reporting Standard, covering own operations (Scope 1 and Scope 2) and the value chain (Scope 3).
- // A science-based target to reduce GHG emissions to limit global warming, in line with the guidelines of the Science Based Target initiative (SBTi), is in place.



References

- // [GHG Protocol Corporate Accounting and Reporting Standard](#)
- // [ISO 50001](#) on “Energy Management”
- // [Science Based Targets initiative](#)
- // [Ellen MacArthur Foundation](#) or the [Commission of the European Union](#) on “Circular Economy Concepts”
- // [Bayer Position on the Protection of Biodiversity](#)



Quality

Suppliers shall provide high-quality, safe and effective goods and services that are in full compliance with applicable laws and regulations.



Quality Requirements

Suppliers shall meet generally recognized quality standards or contractually agreed quality requirements and standards, in order to provide goods and services that consistently meet Bayer's and its customers' needs, perform as warranted, and are safe for their intended use. Suppliers shall immediately address all critical issues that have the potential to negatively affect the quality of goods and services. Suppliers must inform Bayer about changes in the manufacturing or supply process that have the potential to impact the specification of goods and services provided.

Key Expectations

- // The supplier complies with legal and regulatory requirements and internationally acknowledged good practices related to quality and safety to the extent adequate in the respective area. Furthermore, the supplier meets the expectations of its stakeholders regarding the quality, safety and efficacy of its products and services. When required, the following standards must apply: Good Laboratory Practice (GLP), Good Clinical Practice (GCP), Good Pharmacovigilance Practice (GVP), Good Distribution Practices (GDP), and Good Manufacturing Practice (GMP).
- // The supplier implements and maintains a Quality Management System (QMS) suitable to the products and services provided to its customers, a common example is the ISO 9001 series.
- // The supplier audits its quality management system internally and through external accredited bodies and customers as needed.
- // The supplier establishes a committee / department that acts as the governance body for quality. Local quality teams in the respective business units, regional persons-in-charge as well as special global functions ensure that this takes place.
- // The supplier supports its customer's stewardship efforts to ensure their products and services are managed responsibly in compliance with applicable laws and meet relevant regulatory requirements and industry standards.
- // The supplier engages with problem solving and continuous improvement when its customers' customers signals their experience does not meet their expectation.
- // The supplier ensures that business partners and its own suppliers also adhere to state-of-the-art quality standards.

Good Practices

- // The supplier promotes and supports innovation in its products and services.
- // The supplier strives for distinctively outstanding and excellent products and services through establishing efficient business processes, for example through a culture of Operational Excellence (e.g. Lean Manufacturing, Six Sigma, Scientific Management).
- // The supplier is open and supportive of qualification audits prior to contractual agreements.



References

- // [Good Laboratory Practice \(GLP\)](#), [Good Clinical Practice \(GCP\)](#), [Good Pharmacovigilance Practice \(GVP\)](#), [Good Distribution Practice \(GDP\)](#), [Good Manufacturing Practice \(GMP\)](#)
- // [ISO 9001 on "Quality Management Systems"](#)
- // [Bayer Crop Science Product Stewardship Policy](#)



Security and Anti-Counterfeiting Measures

Suppliers shall have good security practices across their supply chains. Suppliers shall ensure the integrity of each shipment to Bayer from its origin through to its destination.

Suppliers shall implement the necessary and appropriate measures in their area of responsibility to ensure that Bayer products, their workable components or raw materials, as well as the corresponding know-how, do not end up in the hands of counterfeiters, smugglers, thieves, or other unauthorized third parties and do not leave the legitimate supply chain. Suppliers shall promptly analyze the relationship with a third party if they obtain or are provided with evidence that they are inadvertently involved in the manufacturing or selling of counterfeit products via the actions of the third party, including products destined for export that are considered counterfeit products in their country of destination. Bayer expects suppliers to support the investigation and prosecution of any activities connected with counterfeit products.

Key Expectations

- // The supplier strictly abides by all applicable laws (e.g. rules regarding country of origin markings, documentation, declarations to local government agencies, the obtaining of government licenses).
- // Clear processes to prevent counterfeit cases are established.
- // Know-Your-Customer (KYC) processes are implemented to avoid any association with counterfeit or illegal products and infringements of the intellectual property rights of customers.
- // Critical security-related supply chain risks are identified along the chain of custody, which in particular refer to theft, misuse, counterfeiting, product adulteration, smuggling and piracy, terrorism, social unrest, etc.
- // The supplier provides a secure end-to-end supply chain to prevent counterfeiting, theft or illegal diversion of products:
 - // Customers are informed in a timely manner in the event of any incident related to illegally traded or counterfeit product.
 - // Traceability of finished products, returned or discarded products, surplus and waste also of packaging material is ensured.
- // Logistics service providers are selected with due consideration to avoid the transport of counterfeits and illegal products and to support in detecting falsely declared, illegal shipments of products. The supplier fully supports in the investigation and prosecution of any activities connected with illegal and counterfeit products.
- // The supplier promptly ceases supplying to a third party if he obtains evidence or is provided with evidence that he is inadvertently involved in the handling of counterfeit and/or illegal products via the actions of the third party.
- // The supplier collaborates with authorities in order to improve the uncovering rate of counterfeits and illegal products.



Security and Anti-Counterfeiting Measures

Good Practices

- // The supplier establishes a contact point that is easily accessible for externals and gives the opportunity to report suspicious counterfeit or illegal products and all other kind of unlawful / fraudulent circumstances related to the products.
- // The supplier executes counterfeit related awareness raising campaigns for all employees and ensure comprehensive spread of information related to the used product safety features.
- // The supplier periodically reviews and if necessary, re-designs processes to reduce security-relevant risks.
- // The supplier implements custody control and relevant measures, such as tracking systems.
- // Sufficient due diligence before entering into new business relations is applied in order to avoid transport, handling or any other kind of inadvertent involvement with counterfeit / illegal products or unlawful activities.
- // E-commerce platforms in detecting counterfeit and/or illegal products / offerings are supported and have an efficient workflow implemented to prevent future illegal offerings.



References

- // [Bayer Beware of Medical Counterfeits](#)
- // [Bayer Counterfeits in Agriculture](#)



Governance & Management Systems

Suppliers shall implement effective management systems and a governance structure to facilitate compliance with all applicable laws and promote continuous improvement with respect to the expectations set forth in the Bayer Supplier Code of Conduct.



Legal and Other Requirements

Suppliers shall identify and comply with all applicable international, national, and local laws and regulations, contractual agreements and internationally recognized standards. Suppliers shall also conform their practices to generally accepted industry standards, shall obtain, maintain and keep up-to-date all applicable permits, certificates, licenses, and registrations, and shall operate in accordance with permit limitations and requirements at all times.

Key Expectations

- // Legal and any other relevant requirements (e.g. contractual agreements, internationally recognized standards) are identified, monitored, reviewed and implemented.
- // All necessary legal permits (e.g. licenses, authorizations) are held for operations and regularly renewed, if required.
- // Compliance issues are accurately identified, tracked and resolved.

Good Practices

- // A reliable and up-to-date methodology is established, and measures (e.g. IT tool, employing internal legal expert(s), exchange with external legal expert(s), industry association membership) are taken to identify and track emerging legislation and other commitments.
- // Organizational and operational measures are taken to minimize violations and issues (e.g. IT tools, operational / access restrictions, standard operating procedures).
- // A comprehensive register of substances with related hazards is established and corresponding requirements (in particular licenses to operate) are kept up-to-date.





Commitment and Accountability

Suppliers shall fulfill the principles set forth in the Bayer Supplier Code of Conduct by allocating appropriate resources and incorporating all applicable aspects into policies and procedures.

Key Expectations

- // The roles and their respective responsibilities and accountabilities regarding the expectations set forth in the Bayer Supplier Code of Conduct are clearly defined and documented. A regular review of this structure is performed. Roles and responsibilities are communicated within the organization to ensure they are understood by the affected persons.
- // Necessary financial, technical and human resources are put in place to ensure that the expectations set forth in the Bayer Supplier Code of Conduct are fulfilled and promoted.
- // The supplier establishes relevant and measurable ethical, social and environmental objectives and targets.

Good Practices

- // The supplier has a strategy in place which clearly defines concepts and programs to implement the principles set forth in the Bayer Supplier Code of Conduct.
- // The supplier uses a proactive approach in establishing and maintaining the principles set forth in the Bayer Supplier Code of Conduct, including the collection and evaluation of adequate and timely information.
- // Conformance to the principles is incorporated into job descriptions and measures of performance.
- // The supplier is committed and links its activities to international initiatives (e.g. Sustainable Development Goals).
- // Senior Management is committed and accountable for implementing and improving its ethical, social and environmental performance.
- // Ethical, social and environmental targets are anchored in the remuneration on executive level.
- // The supplier has appointed an officer who is responsible for overseeing compliance with ethical, social and environmental issues in the supply chain.



References

- // [OECD Guidelines for Multinational Enterprises on “Responsible Business Conduct in a Global Context”](#)
- // [UN Guiding Principles on “Business and Human Rights”](#)
- // [Sustainable Development Goals](#)



Communication of Sustainability Criteria in the Supply Chain

Suppliers shall replicate the sustainability principles set forth in the Bayer Supplier Code of Conduct further down the supply chain.

Key Expectations

- // The supplier implements a sustainable procurement policy, which includes commitments and objectives with regard to its relevant sourcing sustainability risks.
- // The supplier establishes its own ethical, social and ecological principles. He communicates these principles within its supply chain.
- // The supplier expects its suppliers to comply with its defined sustainability principles. Suitable measures (e.g. assessments, on-site audits and management talks) are taken by the supplier to ensure its suppliers' permanently comply with the principles.

Good Practices

- // Sustainability-relevant aspects are integrated into supplier contracts or business agreements and documented accordingly.
- // The supplier carries out sustainability-based supplier risk categorization in order to identify (potential) high sustainability risk suppliers. He evaluates the relevant identified suppliers (e.g. through an audit or assessment) on their sustainability performance and efforts.
- // Its suppliers' sustainability evaluation results are selection and decision-making criteria during the sourcing process (e.g. human rights becomes a selection criterion in addition to price, quality and delivery time).
- // The supplier continuously strives to identify new sustainable suppliers.
- // The supplier strives to improve its suppliers' ethical, social and ecological performance. If a supplier commits serious or repeated breaches, for example with regard to child labor, he takes active steps to exclude this supplier from further business transactions.
- // A program for training of buyers in sustainability issues within the supply chain is established.



References

- // [Bayer Supplier Code of Conduct](#)
- // [OECD-FAO Guidance for "Responsible Agricultural Supply Chains"](#)
- // [ISO 20400 on "Sustainable Procurement"](#)
- // [Bayer Human Rights Position](#)



Systems, Documentation and Evaluation

Suppliers shall develop, implement, use, and maintain management systems and controls related to the content of the Bayer Supplier Code of Conduct. Suppliers shall maintain documentation necessary to demonstrate conformance with the principles outlined in the Bayer Supplier Code of Conduct.

Key Expectations

- // An appropriate documentation system is established, comprising for example:
 - // internal regulations, such as policies, manuals, procedures,
 - // records, such as internal and external audit findings, inspections (e.g. by regulatory agencies), injury and illness logs, worker wages and benefits, working hours, worker complaints, performance evaluations, performed trainings.Documented information may only be shared with customers when in line with applicable antitrust provisions.
- // Documentation is created in a well-structured manner (i.e. accurate, valid and retained).
- // The supplier regularly monitors, evaluates and reviews (e.g. via assessments or audits) the effectiveness of management systems and controls in place. Improvement needs are identified and addressed accordingly.

Good Practices

- // The supplier considers certification of its management system for records, for example according to ISO 30300 series.
- // Documentation meets pre-determined and clearly established quality standards in terms of accuracy, validity, and retention.
- // The supplier regularly conducts internal audits to assess the effectiveness of management systems and controls in place, as well as to identify improvement needs. If improvement needs were identified the supplier addresses them accordingly.



References

- // [ISO 30300 on “Information and Documentation – Management Systems for Records”](#)
- // [ISO 19011 on “Auditing Management Systems”](#)
- // Following management systems provide guidance to implement and maintain documentation systems
 - // [ISO 9001 on “Quality Management Systems”](#)
 - // [ISO 14001 on “Environmental Management Systems”](#)
 - // [OHSAS 18001/ISO 45001 on “Occupational Health and Safety”](#)



Risk Management

Suppliers shall implement mechanisms to regularly identify, evaluate, and manage risks in all areas addressed by the Bayer Supplier Code of Conduct and with respect to all applicable legal requirements.

Key Expectations

- // A method exists to identify, assess and prioritize the business, reputation and legal risks associated with principles set forth in the Bayer Supplier Code of Conduct as they relate to both normal and unexpected operating situations.
- // Risk assessments are performed and updated whenever there is a significant change in operations or product design.
- // Identified and assessed risks are treated (e.g. mitigated, accepted) appropriately according to prioritization.
- // Risk assessment results and treatments are accurately documented, retained and clearly communicated.

Good Practices

- // Risk assessments are performed by meaningful consultation of interested parties (e.g. within the organization, among competently trained experts or third-party consultants).
- // Responsibility for managing the risk assessment processes is clearly documented and communicated.
- // Risk management forms an integral part of good purchasing and supply practice.



References

- // [ISO 31000 on "Risk Management"](#)



Business Continuity

Suppliers are encouraged to implement appropriate business continuity plans for operations supporting Bayer's business.

Key Expectations

- // A Business Continuity Management (BCM) system is defined, implemented and executed in a sustainable way and Business Continuity Plans (BCPs) are compiled following international standards, for example ISO 22301.
- // The scope for BCM (e.g. critical products, business processes, resources) is determined by a Business Impact Analysis (BIA) which also covers products and/or services delivered to customer.
- // BCPs are regularly tested, reviewed and updated. They are also taught to affected employees in a comprehensive training program.
- // A communication plan and process to inform customers in due course on business disruptions is implemented and communicated to them.

Good Practices

- // The BCM system is defined on company level. The BCM life-cycle consists of a "Plan-Do-Check-Act" approach as described in ISO 22301. The system also ensures continuous improvement of BCM within the organization (e.g. learning from exercises and disruptive events).
- // The BIA supports the prioritization of business functions and processes to identify the critical path of process activities and resources. Furthermore, with the BIA key metrics such as maximum tolerable period of disruption, recovery point objective and/or recovery time objective are determined.
- // Continuity and resumption / recovery measures are documented in BCPs for identified critical employees, infrastructure, suppliers, as well as IT applications and systems. Preventative measures are implemented.
- // The supplier conducts an evaluation of BCM systems of its suppliers that are critical to its own operations.



References

- // [ISO 22301 on "Business Continuity Management Systems"](#)
- // [Good Practice Guidelines \(Business Continuity Institute\)](#)



Continuous Improvement

Suppliers shall demonstrate their commitment to continuous improvement by setting performance objectives, executing implementation plans, and taking necessary corrective actions for deficiencies identified by internal or external assessments, inspections, and management reviews.

Key Expectations

- // (Senior) Management implements strategic programs as well as objectives and action plans for all relevant principles set forth in the Bayer Supplier Code of Conduct.
- // The supplier regularly carries out evaluations to verify compliance with the principles set forth in the Bayer Supplier Code of Conduct.
- // The supplier regularly monitors and tracks its sustainability performance (i.e. ethical, social and environmental performance) and thoroughly analyze the results to identify improvement potentials. Based on the results, the supplier regularly updates its programs and activities, targets, and performance indicators. The supplier's continuous improvement efforts also covers its procurement activities.
- // (Middle) Management integrates sustainability improvements in daily operations.
- // The supplier conducts regular management reviews to trigger a continuous improvement process.

Good Practices

- // Certified management systems such as ISO 14001, ISO 9001 or OHSAS 18001/ISO 45001 are implemented and maintained.
- // The supplier regularly carries out evaluations based on industry standards, for example provided by the Together for Sustainability (TfS) initiative or the Pharmaceutical Supply Chain Initiative (PSCI), to verify compliance with the principles set forth in the Bayer Supplier Code of Conduct.
- // The supplier periodically compares and benchmarks, to the extent legally possible, its sustainability performance against experienced peers in the industry to identify applicable best practices.
- // Supplier support its suppliers in continuous improvement processes / improving their sustainability performance by, for example, providing training, following up on corrective action plans.



References

- // [ISO 14001 on "Environmental Management Systems"](#)
- // [OHSAS 18001/ISO 45001 on "Occupational Health and Safety"](#)
- // [ISO 9001 on "Quality Management Systems"](#)
- // TfS: [Supplier Academy](#)
- // PSCI: [Resource Library](#)
- // [EcoVadis Help Center](#)



Training and Competency

Suppliers will develop, implement, and maintain appropriate training measures to allow their managers and employees to gain an appropriate level of knowledge and understanding of the applicable principles of the Bayer Supplier Code of Conduct, the applicable laws and regulations, and generally recognized standards.

Key Expectations

- // (Senior) Managers and employees are frequently trained to achieve and maintain an appropriate, job-related level of knowledge and skills to address all applicable areas of the Bayer Supplier Code of Conduct as well as regulations and standards.
- // The supplier considers relevant results of the risk assessment and the potential consequences of departing from specified operating procedures and expectations in the design of its training program.

Good Practices

- // The supplier supports the development and enhancement of its employees' professional skills at all levels through suitable trainings or education opportunities.
- // The supplier provides appropriate trainings, development and education opportunities and establishes regular training schedules.
- // The supplier has a documented procedure for identifying training needs of its employees.
- // The supplier documents the participation in trainings of employees / contractors / third party workers and shares the training materials accordingly.
- // Training is periodically reviewed for improvements in design and delivery, and to incorporate feedback suggestions.
- // Eligible new and transferring employees receive training as per program requirements.
- // Employees advancement and succession planning considers the importance of individual and group performance and awareness pursuant to the principles set forth in the Bayer Supplier Code of Conduct.





Transparency and Disclosure

Suppliers are encouraged to report externally about their economic, social and environmental impact in line with the principles set forth in the Bayer Supplier Code of Conduct.

Key Expectations

- // The supplier is encouraged to report externally about its economic, social and environmental impact in a way that it is understood by the general public. This can be on its website or in a publicly available report. Reporting can, for example, focus on the standards set forth in the Bayer Supplier Code of Conduct, such as employee health and safety, human rights, energy, waste, water use and business ethics.
- // The supplier considers and adheres to legal reporting requirements.

Good Practices

- // Senior Management clearly supports transparent disclosure of sustainability (i.e. ethical, social and environmental) activities.
- // The supplier keeps up to date about upcoming governmental disclosure requirements and takes necessary measures to implement them within an adequate timeframe.
- // The supplier considers relevant certifications, such as ISO 14001, ISO 50001 or SA 8000. Based on customer request, supplier shares the same with them.
- // Published reports are verified by externals (e.g. auditors, rating agencies).

More examples of good practices can be found in Bayer's [Annual Report](#).



References

- // Exemplary certifications
 - // [ISO 14001 on "Environmental Management Systems"](#)
 - // [ISO 50001 on "Energy Management Systems"](#)
 - // [SA 8000 on "Social Accountability"](#)
- // [Global Reporting Initiative \(GRI\) Standards](#)
- // [Good Publication Practice Guideline](#)



Right to Evaluation

Suppliers shall grant Bayer the right to evaluate their performance upon reasonable prior notice to determine supplier's conformance with principles outlines in the Bayer Supplier Code of Conduct. The evaluation shall be executed directly by Bayer or by a qualified third party in the form of, for example, an assessment or an audit.

Key Expectations

- // The supplier permits Bayer or a qualified third party service provider to regularly conduct performance evaluations of the facilities, systems and/or documents related to the goods and services provided. The supplier implements corrective actions for any deficiency identified until the next re-evaluation or within the timeframe agreed on, whichever is the earlier point in time.
- // The supplier prepares for performance evaluations (according to the guidance provided by the third party evaluation service provider or Bayer) by having necessary documents readily available and ensuring that key site personnel is available for interviews etc.

Good Practices

- // The supplier proactively indicates the existence of third party performance evaluations to its customers and shares the same with them.
- // As preparation for an upcoming evaluation, the supplier carries out self-evaluations based on evaluation tools / guidance provided, for example by Bayer, PSCI or TfS. For any identified deficiency, suitable corrective actions are initiated prior to any upcoming evaluation. Good Practice examples to support implementation of corrective actions can be found on bayer.com, PSCI Resource Library, TfS Supplier Academy.



References

- // [ISO 19011 on "Auditing Management Systems"](#)
- // [TfS: Audit Program](#)
- // [TfS: Supplier Academy](#)
- // [PSCI: Audit Guidance](#)
- // [PSCI: Resource Library](#)
- // [EcoVadis Help Center](#)
- // Bayer related good practices, e.g.
 - // [Crop Science Product Stewardship Policy](#)
 - // [Corporate Compliance Policy](#)
 - // [Human Rights Position](#)



Glossary

Conflict Minerals: Conflict minerals, as currently defined, include the metals tantalum, tin, tungsten, and gold, which are the derivatives of the minerals cassiterite, columbite-tantalite, and wolframite. They are also referred to as “3TG”. Armed conflicts over the control of these resources occur particularly in the eastern part of the Democratic Republic of Congo and neighboring countries.

Counterfeited Products: All products that are deliberately and fraudulently labeled as Bayer products and thus are identified as such and/or indicate Bayer directly or by accompanying documents as source of origin in contrary to the true facts. The content of such counterfeited products is often unknown.

Diverted Products: Either smuggled genuine products, detected in a market they are not legally permitted or stolen genuine products, which have been illegally in the possession of others.

Employees: When referring to employees, Bayer includes any staff or personnel engaged or employed by a supplier.

Ethical Oversight: Ethical oversight means that study designs, their scientific relevance and purpose is reviewed through an institutional ethical review process.

Facilitation Payments: Facilitation payments are unofficial, nominal fees designed to secure or speed up a routine action that the official is obliged to perform, such as issuing a license or allowing goods through customs.

Genetic Resource: A Genetic Resource is any material of plant, animal, microbial or other origin containing functional units of heredity (genes or DNA/RNA fragments).

Good Husbandry: Good husbandry requires at a minimum that the laboratory ensures that all animals in their care are given access to food, water and housing appropriate to their needs and the provision of enrichment items like toys.

Greenhouse Gas: Gases that trap heat in the atmosphere are called greenhouse gases. The GHG Protocol Corporate Accounting and Reporting Standard covers the seven greenhouse gases covered by the Kyoto Protocol, namely Carbon Dioxide (CO₂), Methane (CH₄), Nitrous Oxide (N₂O), Hydrofluorocarbons (HFCs), Perfluorocarbons (PCFs), Sulfur Hexafluoride (SF₆) and Nitrogen Trifluoride (NF₃). [Source: www.ghgprotocol.org/]

GxP: GxP is the abbreviation for Good x Practices guidelines, where x is used as a common symbol for a specific practice descriptor. Thereby, the term summarizes several Good Practices, for example Good Manufacturing Practice (GMP), Good Distribution Practice (GDP), Good Clinical Practice (GCP), Good Laboratory Practice (GLP). They apply to organizations in the food or pharmaceutical industry.

Hazardous Materials / Substances: Materials / Substances that have the potential to cause harm to humans, animals or the environment. According to the Globally Harmonized System of Classification and Labelling of Chemicals (GHS), hazardous chemicals respective materials / substances are classified based on physical (e.g. explosives, flammable gases), health (e.g. acute toxicity, skin corrosion / irritation) and environmental (e.g. Hazardous to the Aquatic Environment, Hazardous to the Ozone Layer) hazards. [Source: www.unece.org]

Human Trafficking: Human trafficking involves recruitment, harboring, or transporting people into a situation of exploitation through the use of violence, deception, or coercion and forcing them to work against their will.

Impact: Impact refers to the effect an organization has on the economy, the environment, and/or society, which in turn can indicate its contribution (positive or negative) to sustainable development.

International Labour Organization: The UN agency ILO brings together governments, employers and workers of 187 UN member states to set labor standards, develop policies and devise programs promoting decent work for all employees. [Source: www.ilo.org]



Glossary

Illegal Products: Products that do not mimic original products. The content of these kind of products is often unknown. Illegal products also include Illegal parallel imports which are misusing the parallel import processes.

Modern Slavery: Slavery is identified by an element of ownership or control over another's life, coercion and the restriction of movement and by the fact that someone is not free to leave or to change an employer. Forms of modern slavery involve among others: Bonded labor, forced labor or debt bondage. [Source: www.ilo.org]

Personal Information: Personal Information is any information about an identified or identifiable natural person.

Pharmaceutical Supply Chain Initiative: A nonprofit business organization. Members are pharmaceutical or healthcare companies that share the vision to establish and promote responsible practices that will continuously improve social, health, safety and environmentally sustainable outcomes for their supply chains. [Source: www.pscinitiative.org]

Science Based Target: Targets adopted by companies to reduce greenhouse gas (GHG) emissions are considered "science-based" if they are in line with what the latest climate science says is necessary to meet the goals of the Paris Agreement – to limit global warming to well-below 2°C above pre-industrial levels and pursue efforts to limit warming to 1.5°C. [Source: www.sciencebasedtargets.org/]

Science Based Targets initiative: The Science Based Targets initiative champions science-based target setting as a powerful way of boosting companies' competitive advantage in the transition to the low-carbon economy. It is a collaboration between Carbon Disclosure Project (CDP), World Resources Institute (WRI), the World Wide Fund for Nature (WWF), and the United Nations Global Compact (UNGC). [Source: www.sciencebasedtargets.org/]

Suppliers: Suppliers include any third party that provides goods and services to Bayer and such third party's agents or subcontractors.

Sustainability: Sustainability covers the areas of ethics, human rights (i.e. people and labor topics) as well as health, safety and environment.

Together for Sustainability: A nonprofit business organization. Members are chemical companies. It aims to build the industry's standard for sustainable supply chains, has established a standard approach for evaluating and improving the sustainability performance of suppliers, and shares assessments and audits across members. [Source: www.tfs-initiative.com]

United Nations: The United Nations is an international organization founded in 1945. The work of the UN covers issues confronting humanity in the 21st century, such as peace and security, climate change, sustainable development, human rights, disarmament, terrorism, humanitarian and health emergencies, gender equality, governance and food production. [Source: <https://www.un.org/>]

United Nations Global Compact: Driven by the UN, a voluntary initiative based on CEO commitments to implement universal sustainability principles (also known as "The Ten Principles of the UN Global Compact") and to take steps to support UN goals such as the Sustainable Development Goals. [Source: www.unglobalcompact.org]

Vulnerable Groups: Vulnerable Groups are a set or subset of persons with some specific physical, social, political, or economic condition or characteristic that places the group at a higher risk of suffering a burden, or at a risk of suffering a disproportionate burden of the social, economic or environmental impacts of the organization's operations. Vulnerable groups can include children and youth, the elderly, LGBTQ, (pregnant) women, people with disabilities, ex-combatants, the internally displaced, refugees or returning refugees, HIV/AIDS-affected households, indigenous peoples, and ethnic minorities.



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